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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,677	07/24/2003	Dany Sylvain	7000-268	1039

27820 7590 02/22/2007  
WITHROW & TERRANOVA, P.L.L.C.  
100 REGENCY FOREST DRIVE  
SUITE 160  
CARY, NC 27518

EXAMINER
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FERGUSON, KEITH

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/22/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

**Application No.**

10/626,677

**Applicant(s)**

SYLVAIN, DANY

**Examiner**

Keith T. Ferguson

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 November 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

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### DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2618.

### *Response to Arguments*

2. Applicant's arguments with respect to claims 1-37 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4,6-16,19-32,34 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malmstrom in view of Warburton et al., newly recited reference.

Regarding claims 1-4,6-13,16,37, Malmstrom discloses a method (fig. 5) comprising: a) determining whether to route an incoming call intended for a directory number supported by a wireline switch (SSP 16) to a mobile terminal (col. 10 line 54 through col. 11 line 23) and when determining the incoming call should be routed via the cellular network, instructing the wireline switch to route the incoming call to the mobile terminal via the cellular network using a temporary destination location number (TDLN)(temporary routing indicia) (col. 11 lines 5-28), which is temporarily associated with the mobile terminal to facilitate routing the incoming call to the mobile terminal via the cellular network (col. 11 lines 5-28). Malmstrom differs from claim 1 of the present invention in that it does not disclose determining whether to rout an incoming call intended for a directory number via a terminal adaptor operatively associated with the wireline switch using local wireless communications, and instructing the wireline switch to route the incoming call to the mobile terminal via the terminal adaptor using only the director number. Warburton et al. teaches a cordless base station transmits call diversion instructions to a communication network to direct incoming calls to a cordless handset (P:0011 lines 1-12 and P:0014 lines 1-9) and using only the handset directory number (P: 0030 lines 11-16). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made

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to modify Malmstrom with determining whether to rout an incoming call intended for a directory number via a terminal adaptor operatively associated with the wireline switch using local wireless communications, and instructing the wireline switch to route the incoming call to the mobile terminal via the terminal adaptor using only the director number in order for the wire line switch to know that the mobile terminal has moved back within the range of a cordless base station so that the mobile terminal would not be charge higher fees for wireless airtime and allow other cordless handset access to the wireline switch via the cordless base station, as taught by Warburton et al..

Regarding claims 14 and 32, Malmstrom discloses providing a home location register, which is associated with the wireline switch (col. 7 lines 50-61 and col. 9 line 21 through col. 10 line 11), and b) receiving at the home location register, registration information from the cellular network indicating incoming calls to the mobile terminal can be routed via the cellular network (col. 9 line 21 through col. 10 line 11).

Regarding claim 15, Malmstrom discloses the registration information is received from a visiting location register associated with the cellular network (col. 9 line 21 through col. 10 line 11).

Regarding claims 19-31,34 Malmstrom discloses a system (fig. 1) comprising: a) at least one communication interface (fig. 1 number 50); and b) a control system (SCP)/(WLR) associated with the at least one communication interface and adapted to (fig. 1 numbers 22,24 and 50): i) determine whether to route an incoming call intended for a directory number supported by a wireline switch to a mobile terminal (col. 10 line 54 through col. 11 line 23); ii); and iii) when the incoming call should be routed via the cellular network, instruct the wireline switch to route the incoming call to the mobile terminal via the cellular network using a temporary routing indicia, which is temporarily associated with the mobile terminal to facilitate routing the incoming call to the mobile terminal via the cellular network (col. 11 lines 5-28). ). Malmstrom differs from claim 19 of the present invention in that it does not disclose determining whether to rout an incoming call intended for a directory number via a terminal adaptor operatively associated with the wireline switch using local wireless communications, and instructing the wireline switch to route the incoming call to the mobile terminal via the terminal adaptor using only the director number. Warburton et al. teaches a cordless base station

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transmits call diversion instructions to a communication network to direct incoming calls to a cordless handset (P:0011 lines 1-12 and P:0014 lines 1-9) and using only the handset directory number (P: 0030 lines 11-16). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Malmstrom with determining whether to rout an incoming call intended for a directory number via a terminal adaptor operatively associated with the wireline switch using local wireless communications, and instructing the wireline switch to route the incoming call to the mobile terminal via the terminal adaptor using only the director number in order for the system to know that the mobile terminal has moved back within the range of a cordless base station so that the mobile terminal would not be charge higher fees for wireless airtime and allow other cordless handset access to the wireline switch via the cordless base station, as taught by Warburton et al..

5. Claims 5 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Malmstrom in view of Warburton et al. as applied to claims 1,3,4,19 and 32 above and in further view of Easley et al..

Regarding claims 5 and 33, the combination of Malmstrom and Warburton et al. differs from claims 5 and 33 of the present invention in that they not disclose the home location register obtains the temporary routing indicia from a visiting location register, which is associated with a cellular switch supporting the mobile terminal. Easley et al. teaches a visiting location register sends a temporary location directory number to a home location register associating with a mobile switching center (MSC) supporting a mobile station (col. 11 lines 16-38). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made To modify the combination of Malmstrom and Warburton et al. with the home location register obtains the temporary routing indicia from a visiting location register, which is associated with a cellular switch supporting the mobile terminal in order for the serving MSC to inform the home location register temporary routing information on how the incoming call should be routed to the mobile station within the wireless network, as taught by Easley et al..

6. Claims 17 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Malmstrom in view of Warburton et al. as applied to claims 1,16,19 and 34 and in further view of Hallenstal et al., newly recited reference.

Regarding claims 17 and 35, the combination of Malmstrom and Warburton et al. differs from claims 17 and 35 of the present invention in that they do not disclose blue tooth communication. Hallenstal et al. teaches bluetooth communication (col. 3 lines 12-20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Malmstrom and Warburton et al. with local wireless

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communication and bluetooth communication in order for the wireline system to become a cordless telephone system wherein a cordless handset could communicate using short range communication with a cordless base station when receiving an incoming call, as taught by Hallenstal et al..

7. Claims 18 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malmstrom in view of Warburton et al. as applied to 1 and 19 above and in further view of Hallensal (WO 02/19750).

Regarding claims 18 and 36, the combination of Malmstrom and Warburton et al. differs from claims 18 and 36 of the present invention in that they do not explicitly disclose a GSM network. Hallensal teaches a GSM network (page 1 lines 6-9). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Malmstrom and Warburton et al. with a GSM network in order for the wireless network to operate at a particular frequency band for its mobile subscribers, as taught by Hallensal..

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (571) 272-7865.

The examiner can normally be reached on 6:30am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Keith Ferguson  
Art Unit 2618  
February 8, 2007

**KEITH FERGUSON**  
**PRIMARY EXAMINER**

